

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

CASSANDRA RAKOCZY, )  
Plaintiff, )  
v. ) Case No.  
SOUTHERN LAND COMPANY, LLC, AND ) Judge  
NOLAN CHIP BRADLEY, ) Removed from the Circuit Court of  
Defendants. ) Williamson County, Tennessee  
 ) (Case No. 2014-403)  
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**NOTICE OF REMOVAL**

Defendants Southern Land Company, LLC (“Southern Land”) and Nolan Chip Bradley (“Bradley”) (collectively “Defendants”), pursuant to the provisions of 28 U.S.C.A. §§ 1331, 1441, and 1446, respectfully submit this Notice of Removal for the purpose of removing the above-captioned action from the Circuit Court of Williamson County, at Franklin, Tennessee, to the United States District Court for the Middle District of Tennessee, Nashville Division. As grounds for this Notice of Removal, Defendants state as follows:

1. On August 22, 2014, Plaintiff Cassandra Rakoczy filed a Complaint (the “Complaint”) commencing the action styled CASSANDRA RAKOCZY v. SOUTHERN LAND COMPANY, LLC, AND NOLAN CHIP BRADLEY in the Circuit Court for Williamson County, Franklin, Tennessee, Case No. 2014-403.
2. On August 28, 2014, Defendant Bradley was served with the Summons and Complaint. Defendant Southern Land received a copy of the Summons and Complaint on

August 28, 2014. A copy of the Summons and Complaint Defendants received is attached hereto and marked **Exhibit A**.

3. In the Complaint, Plaintiff alleges that her cause of action arises under the federal Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.*, and seeks damages pursuant to federal law. *See* Complaint Introduction (“This is an action for ... wrongful termination in violation of the Age Discrimination in Employment Act”) and ¶¶ 39 – 49, (Third Causes of Action).

4. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, because Plaintiff’s claims are based upon a federal question arising under the laws of the United States. While Plaintiff has also included state law claims in this civil action, those claims arise out of the same case or controversy as Plaintiff’s federal question causes of action. Accordingly, this court may exercise supplemental jurisdiction over Plaintiff’s state law claims pursuant to 28 U.S.C. § 1337. Based upon the foregoing, this action is subject to removal pursuant to 28 U.S.C. § 1441.

5. Specifically, Section 1441(a) specifies that “any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or defendants to the district court of the United States for the district and division embracing the place where such action is pending.” Thus, this action is properly removable.

6. This lawsuit has also been properly removed to this district court as 28 U.S.C.A. § 1446(a) specifies that the notice of removal shall be filed in the district court of the United States for the district and division within which such action is pending. Pursuant to

28 U.S.C.A. § 123(b)(1), this district and division encompasses Williamson County, where the action was pending prior to removal.

7. Pursuant to 28 U.S.C.A. § 1446(d), Southern Land and Bradley will promptly file a Notice of Filing of Notice of Removal with the Clerk of the Circuit Court of Williamson County, Tennessee, with a copy to be served on Plaintiff's counsel. A copy of the Notice of Filing of Notice of Removal is attached hereto as **Exhibit B**.

By removing this action to this Court, Defendants do not waive any defenses, objections or motions available to them under state and federal law.

WHEREFORE, Defendants, pursuant to 28 U.S.C.A. §§ 1441 and 1446, respectfully submit, based upon the allegations set forth in this Notice of Removal, that this action is properly removed and requests that this Court retain jurisdiction over this action.

Dated: September 24, 2014

Respectfully submitted,

  
s/ John G. Harrison  
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Attorney for Defendants Southern Land Company,  
LLC and Nolan Chip Bradley

## CERTIFICATE OF SERVICE

I hereby certify that on this the 24<sup>th</sup> day of September, 2014, the foregoing was filed with the Clerk of the Court and forwarded via telecopy and U.S. mail to counsel of record for Plaintiff, as follows:

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